

96-45 Confirmed

EX PARTE OR LATE FILED
NOV 25 2002

DEC 03 2002

Distribution Center
Aug. 19, 02

Dear Mr. Powell,


I am writing to you to protest the raise to the telephone companies for the extra \$1.00 that was added to the Interstate Subscriber Line Charge. I have been informed by your office that they will receive an extra 50 Cents starting July 1st 2003.. Your commission is allowing them to nickel and dime us to death.

These phone lines have been paid for long ago and if you really believe they need this extra money to keep them repaired why is it we have such sorry phone service? They are in business and repairing

phone lines should be one
of their legitimate business
expenses. They shouldn't have
to have a special fund.

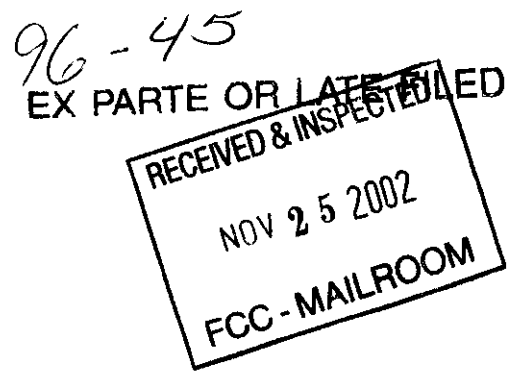
Thank you
Verniece Stevens
703 E. Buchanan
Morton, Texas 79346

Larry Combest is my Congressman
and I have complained to
his office also.

 **S** Verniece Stevens
703 E. Buchanan
Morton, Texas 79346-3517

July 7, 2002

Mr. Michael Powell, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554



Confirmed

DEC 03 2002

Distribution Center

Dear Mr. Powell:

With opposition to the announced merger between EchoStar (d.b.a.: Dish Network) and DIRECTV, I have chosen to inform you of the following:

On May 31, 2002 I ordered "Rat Race", a Pay Per View movie from Dish Network playing on channel 525 at 10:00 P.M. Inclement weather (rain) caused a loss of satellite signal. I saw about 5 minutes of the opening credits and then Dish Network's equipment lost the satellite feed to my home.

I called Dish Network to report the problem and to obtain an allowance/credit to view the movie at a latter time. After being placed on hold for 27 minutes I finally spoke with 'Carlos', a Customer Service Representative, at 10:32PM.. He told me that my account could not be credited! He informed me that he would place a note in my account file so that when I called back, after receiving the bill for the movie, I could work out a credit with a Customer Service Representative.

I found his resolution to completely absurd! I still cannot understand why I would be responsible for their failure to deliver their service. I lease the equipment from Dish Network, they maintain the equipment; thus, why would I be responsible for their failure to deliver the service I purchased? After all, it is not my fault that their faint transmission signal barely penetrates through storm clouds.

To create a concrete basis for my complaint I sent the following e-mail that same night to Dish Network:

-----Original Message-----

Full Name: Sebastian Formoso

Account Number: 8255-

Question: Hi,

I placed an order for "Rate Race" a Pay Per View Movie showing on channel 525 at 10:00 PM Eastern Time.

Due to inclement weather in Miami (severe rain) my receiver is not able to lock into the satellite signal due to your weak signal transmission.

Please credit my account for the movie for I have not been able to view what I purchased. Furthermore, I have been holding for customer service for over 20 minutes. Absolutely unacceptable!

I would expect this poor service response and signal loss from my local cable company, not from Dish Network. If this persists, service agreement or not I will take my business back to my local cable company.

Sincerely,
Sebastian Formoso
6891 South Waterway Drive
Miami, Florida 33155
-----EOM-----

To my surprise, but to very little disbelief, I received the following reply from Dish Network's Customer Care Department:

Subj:RE: Pay-Per-View, , 3056684248
Date:6/2/2002 9:26:54 PM Eastern Daylight Time
From: Q&A@echostar.com (Q&A)
To: chuyformoso@cs.com ('chuyformoso@cs.com')

-----Original Message-----

From: chuyformoso@cs.com [mailto:chuyformoso@cs.com]
Sent: Friday, May 31, 2002 8:28 PM
To: Q&A
Subject: Pay-Per-View, , 3056684248

Dear Mr. Formoso,

Thank you for your email. PPV purchases are non refundable once order is confirmed. DISH Network is not liable for any interruptions in service or liable for delays, or failure to perform. If nonperformance arises in connection with any acts of nature, fires, earthquakes, floods, power failures, or any other cause beyond our control.

We try to make every attempt to advise our customers of all company policy by providing a Residential Customer Agreement with the initial purchase of all DISH Network systems. We also provide an answer channel (100) to view all billing policies at your convenience. Please accept our sincere apologies for the inconvenience and confusion caused by this issue.

Your business is greatly appreciated and we thank you for allowing us to be of assistance to you. If you have any further questions or concerns, please refer to www.dishnetwork.com or reply to this email and include all previous correspondence so that we may assist you promptly.

As a current customer, you may also use our website to view your current or previous billing statements, add services, or make payments to your account. Please use the link below to launch yourself to the most user-friendly Customer Support Center available today.<http://customersupportdev.dishnetwork.com:12001/newlookandfeel/UserManagement/login.jsp>

Sincerely,
Angelia
Customer Care
DISH Network
-----EOM-----

I feel that this is not just an oversight! This is a common practice of customer abuse by Dish Network. I have yet to see where Dish Network informs customers about their liability for nonperformance!

Unchallenged by competition, Dish Network will continue to abuse consumers by, as in my example, unfairly charging for their failure to provide service! Consumers tied into service agreements/contracts will have no choice but to put up with Dish Network's policies—no matter how unfair, uninformed, and profit driven they may be!

Therefore I am asking that the merger **not be approved**. Dish Network should be forced to implement policies granting customers unequivocal/unquestionable rights under service failures and disruptions. Reason--their technology is not 100% reliable.

To verify a customer's claim of service outage due to inclement weather, Dish Network representatives can simply access weather radar information over the Web. Information that is easily accessible! There is no excuse.

The approved merger of EchoStar (d.b.a.: Dish Network) and DIRECTV, the primary satellite T.V. providers in the United States, will not provide numerous benefits to consumers. Rather, it will remove the threat of competition making the satellite T.V. market an abusive monopoly...abusive towards consumers such as myself.

We cannot allow this technology to be stagnated by lack of competition. Corporate monopolies are not the American way!

In the interest of improving our access to competitive television and Internet service, I urge you to oppose this merger.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sebastian Formoso', with a long horizontal line extending to the right.

Sebastian Formoso
6891 South Waterway Drive
Miami, Florida 33155

Doppler Radar 600-Mile

100% Precipitation Accuracy

Hourly



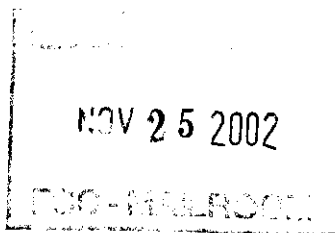
THE
WEATHER
CHANNEL

WIND SPEED IN STAT MILES PER HOUR

kxgn

**GLENDIVE
BROADCASTING
CORPORATION**

210 S. DOUGLAS
GLENDIVE, MONTANA 59330
PHONE: (406) 377-3377
FAX: (406) 365-2181



EX PARTE OR LATE FILED

96-45

August 15, 2002

Chairman Michael Powell
Federal Communications Commission
455 12th Street SW
Washington, D.C. 20554

Dear Chairman Powell:

It has come to my attention that the FCC will be making a decision soon about whether or not to approve the proposed merger between EchoStar and DirecTV.

While I am generally skeptical of satellite companies, if the merger means the Glendive market will be carried on the merged network and made available to satellite customers in rural Montana, this will be a major benefit to our station.

The companies have announced that if merged, they would put all 210- DMAs on their satellite system. I encourage you and your fellow commissioners to approve a merger that ensures that all of America's media markets, including America's smallest market right here in Glendive, Montana are broadcast via satellite by the new, merged company within a reasonable period of time. And, let me stress that all DMA markets need to be included. We would not be pleased to endorse the merger if, in the end, the smallest of us are left out.

Thank you in advance for your consideration in this regard.

Sincerely yours,

Dan Frenzel
VP/GM
Glendive Broadcasting

A large, stylized handwritten signature in black ink, appearing to read "D. Frenzel".

Confirmed

DEC 03 2002

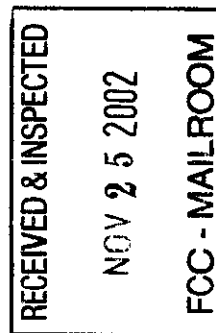
Distribution Center



RONALD CANESTRARI
Assemblyman 106th District

96-45

THE ASSEMBLY
STATE OF NEW YORK
ALBANY



DEPUTY MAJORITY LEADER

COMMITTEES
Banks
Labor
Local Governments
Racing and Wagering
Rules
Transportation
Ways and Means

August 12, 2002

EX PARTE OR LATE FILED

Chairman Michael Powell
Federal Communications Commission
445 - 12th Street, SW
Washington, D.C. 20554

Dear Chairman Powell:

Currently, a digital divide that divides New York State between areas that have access to high-speed Internet services and those that do not is hampering the economic development of the upstate New York region. The proposed merger between EchoStar and Direct TV will provide all New Yorkers, those living in urban as well as those living in rural areas with high speed Internet access.

In my district, the proposed merger will result in the more efficient use of the satellite spectrum and the launching of new satellites. This in turn will result in providing the satellite users in my district with access to local television stations for the first time. It will also be the first time that a competitive market will exist for satellite users. As is usually the case, consumers should benefit from the competition.

The merger will also ensure that satellite users across the United States will pay the same price for services. Costs will not vary between urban and rural, between upstate and downstate or among states. This is another major asset for the consumer that will result from the approval of the merger.

It is for these reasons that I urge you to support the EchoStar - Direct TV merger.

Sincerely,

RON CANESTRARI
Deputy Majority Leader

Cc: United States Attorney General John Ashcroft

Confirmed

DEC 03 2002

Distribution Center

